

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

**SUPPLEMENTAL DECLARATION OF EDGAR W. MOSLEY II IN SUPPORT OF
DEBTORS' APPLICATION TO EMPLOY AND RETAIN ALVAREZ & MARSAL
NORTH AMERICA, LLC AS FINANCIAL ADVISORS TO DEBTORS AND DEBTORS
IN POSSESSION PURSUANT TO SECTIONS 327(A) AND 328
OF THE BANKRUPTCY CODE NUNC PRO TUNC TO THE PETITION DATE**

Edgar W. Mosley II, being duly sworn, hereby states as follows:

1. I am a Managing Director with Alvarez & Marsal North America, LLC (together with employees of its affiliates (all of which are wholly-owned by its parent company and employees), its wholly owned subsidiaries, and independent contractors, “A&M”), a restructuring advisory services firm with numerous offices throughout the country. I submit this declaration on behalf of A&M (the “Declaration”) in further support of the Debtors’ Application to Employ and Retain Alvarez & Marsal North America, LLC as Financial Advisors to Debtors and Debtors in Possession Pursuant to Sections 327(a) and 328 of the Bankruptcy Code *Nunc Pro Tunc* to the Petition Date (the “Application”) on the terms and conditions set forth in the Application and the engagement letter between Debtors and A&M attached to the Application as

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

Exhibit C (the “Engagement Letter”). Except as otherwise noted,² I have personal knowledge of the matters set forth herein.

2. A&M was engaged by the Debtors on November 9, 2022.

3. On December 21, 2022, the Debtors filed the Application and in support of the application, A&M filed a declaration executed by the undersigned on behalf of A&M in accordance with the applicable sections of the Bankruptcy Code (the “Original Declaration”). Capitalized terms used herein and not otherwise defined have the respective meanings set forth in the Original Declaration.

4. A&M is not a creditor of the Debtors. The payments received by A&M in the 90 days pre-petition, are detailed on Exhibit A.

5. The Application disclosures pertain to A&M as defined in the order and also its professional service provider affiliates (together, defined as the “Firm” in Paragraph 4 of the Original Declaration).

6. Additional disclosures related to the Potential Parties in Interest below are intended to supplement the disclosures already provided in the Original Declaration.

a. A&M has recused itself in the Celsius and Genesis engagements from involvement in disputes between Celsius or Genesis on one hand and the Debtors on the other hand. As a result, A&M has not advised Celsius or Genesis on substantive matters related to the Debtors. A&M’s financial advisory services for Celsius and Genesis have included (and will continue to include) the analysis of certain data that is related to the Debtors in connection with the claims administration process including aggregating claims data, preparing schedules and stating applicable balances. A&M

² Certain of the disclosures herein relate to matters within the personal knowledge of other professionals at A&M and are based on information provided by them.

has not and will not engage in negotiations on behalf of Celsius or Genesis or otherwise advise Celsius or Genesis on the substance of their disputes with the Debtors. The Debtors are still working to calculate and reconcile claim balances as of the Petition Date.

- b. In addition, in an abundance of caution, A&M has instituted an information barrier between the A&M personnel providing services to Celsius and the A&M personnel providing services to the Debtors effective as of the date hereof to ensure that confidentiality of information is protected and that the engagement professionals are not cross-staffed, provided that A&M may utilize three employees in its case management group and one paralegal (the “Cross-over Employees”) to provide technical and administrative support to the case management teams on both engagements. The Cross-over Employees will not discuss non-public information (i) about the Debtors with other A&M employees staffed on the Celsius case or (ii) about Celsius with the other A&M employees staffed on the Debtors case.
- c. A&M’s affiliate was engaged to provide Binance with research related to other exchanges and those exchanges’ advertised compliance programs between July and September 2022. The investigation is complete and was unrelated to the Debtors.

7. By reason of the foregoing, I believe A&M is eligible for employment and retention by the Debtors pursuant to sections 327(a) (as modified by sections 1107(b)), 328, 330 and 331 of the Bankruptcy Code and the applicable Bankruptcy Rules and Local Rules.

Dated this 19th day of January 2023

By: Edgar W. Mosley II
Edgar W. Mosley II
Managing Director

Exhibit A

Alvarez & Marsal North America, LLC
Pillowtex

| Payment Date | Payment Amount | Invoice Date | Invoice Amount | Date range of services | Payment by Retainer ? | Retainer Balance | Days to Payment |
|---------------------|-----------------------|---------------------|-----------------------|-----------------------------------|------------------------------|-------------------------|------------------------|
| 11/14/2022 | \$1,000,000 | 11/10/2022 | \$1,000,000 | Retainer | N/A | \$1,000,000 | 4 |
| 11/14/2022 | \$3,000,000 | 11/10/2022 | \$3,000,000 | 11/9/2022-11/10/2022 ¹ | No | \$4,000,000 | 4 |
| 12/28/2022 | \$93,439 | 12/28/2022 | \$93,439 | 11/9/2022-11/10/2022 | Yes | \$3,906,561 | 0 |

(1) Estimated payment for prepetition services